

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

EASTERN DIVISION

No. 05-10849RGS

HELEN RUNGE,

Plaintiff

v.

WALTER J. KELLY,
KERRY L. BLOOMINGDALE, M.D., and
SUNBRIDGE NURSING AND
REHABILITATION CENTER,

Defendants

**LOCAL RULE 37.1 CERTIFICATION RELEVANT TO
DEFENDANT WALTER J. KELLY'S MOTION TO COMPEL
THE PLAINTIFF TO SUBMIT TO A MENTAL EXAMINATION**

I, Michele Carlucci, counsel for the Defendant, Walter J. Kelly, certify that on September 25, 2006 I had a discovery conference with Plaintiff's counsel, Glenn Davis, Esq., and inquired whether a motion to compel the plaintiff to submit to a mental examination would be necessary. We discussed the issue, he was disinclined to agree to the examination but indicated he would speak to the Plaintiff and/or her Power of Attorney, Gilbert Stanley, that day and would get back to me. He has never gotten back to me on this issue.

s/ Michele Carlucci

Michele Carlucci, BBO #655211
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CERTIFICATE OF SERVICE

I, Michele Carlucci, certify that on October 13, 2006 I have served a copy of the following by electronic filing and regular mail:

1. Defendant Walter J. Kelly's Local Rule 37.1 Certification relevant to Defendant's Motion to Compel the Plaintiff to Submit to Psychiatric Evaluation.

to all counsel of record:

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/s/ Michele Carlucci
Michele Carlucci